

I cannot be certain that his power to appoint deputies would be so separate from the rest of the bill as to constitute new subject matter. Perhaps I'm cloudy in my thinking, but I just don't see it that way. If I did, I would certainly say so. If that provision is to be removed, I think the entire discussion should center on the like of validity of Section 2 and the discussion should be on the merits of that particular portion and then we can understand from the standpoint of a policy decision whether the Attorney General should be allowed to appoint these deputies. I think right now the bill is difficult to comprehend in terms of its impact and its meaning. There will still be attorneys connected with the state patrol who can help prepare cases, but not prosecute them. The Attorney General's office will be able to appoint deputies...it's a confusing bill to me as I analyze it so perhaps my mind is played out from the debates I've been engaged in this morning. I'd like to ask Senator Luedtke a question if I may. Senator Luedtke what would you seek to accomplish through the passage of 294 in whatever form you want to see it passed?

SPEAKER LUEDTKE: There's only one thing that's to be accomplished and this, Senator Chambers, I remind you, you remember the Judiciary Committee which I chaired last summer during interim and which the only thing we intended to do was to make sure that these house counsel were not accepting appointments as special prosecutors and being all sides to all people, in these cases. That's all we wanted to do.

SENATOR CHAMBERS: What will Section 2 do to defeat the idea that you have in mind?

SPEAKER LUEDTKE: Section 2 is unnecessary. It's surplusage; it doesn't belong there. It ought to be brought up by the Attorney General under another bill because it deals with the payment of salary to deputies attorney general.

SENATOR CHAMBERS: But it doesn't hurt what you want to get into now.

SPEAKER LUEDTKE: I'm not sure and I think that a good defense counsel on a drug case if he wanted to do something about the counsel for patrol might just use it anyway. He might figure out a way to use it. I don't know. I just wouldn't want to give him any opportunity to attack this bill. That's all.

PRESIDENT: Senator Frank Lewis.

SENATOR F. LEWIS: Mr. Chairman, I think we've heard this debate six times and if we keep this up with bills going over and then coming back and over and back with the criminal code, I don't think we're going to get to anything else. With those kind of remarks, I'd move the previous question.

PRESIDENT: Do I see five seconds? I do. The question is shall debate now cease. Record your vote. Please vote on this. Have you all voted? Record the vote. Senator Frank Lewis.

SENATOR F. LEWIS: Mr. President, what I had in mind was that it's pretty obvious the temperament is...

PRESIDENT: Are you going to put the House under call?